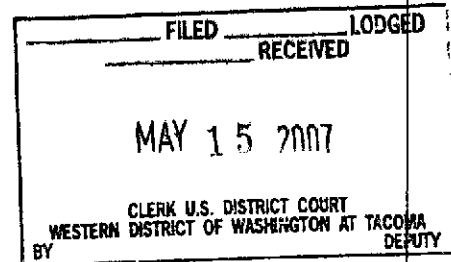


THE HONORABLE RONALD B. LEIGHTON



05-CV-05437-ORD

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

GRAYS HARBOR ADVENTIST CHRISTIAN  
SCHOOL, a Washington non-profit  
organization; GREG G. BOGDANOVICH, an  
individual; and MARY LAFOREST, an  
individual, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

CARRIER CORPORATION, a Delaware  
corporation,

Defendant.

NO. 05-05437 RBL

STIPULATION AND [PROPOSED]  
ORDER ALLOWING CERTAIN  
DISCOVERY AFTER THE  
DISCOVERY CUTOFF

## I. STIPULATION

The parties have been working to complete discovery in this matter, and in a parallel matter entitled *Mark Neuser et al, v. Carrier Corporation*, Case No. 06-C-645-S, which is pending in the United States District Court for the District of Wisconsin (hereafter, "the Wisconsin Action"). The Wisconsin Action is set for trial on June 25, 2007. In order to facilitate the completion of discovery in this action in a manner that does not compromise the parties' ability to prepare for trial in the Wisconsin Action, the parties have agreed and stipulate as follows:

STIPULATION AND [PROPOSED] ORDER ALLOWING  
CERTAIN DISCOVERY AFTER THE DISCOVERY CUTOFF  
[NO. 05-05437 RBL] - 1  
4182/001/205382.1

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1           1.       Plaintiffs in this action shall be allowed eight more fact witness depositions in  
2 addition to those that have already been completed as of this date.

3           2.       The discovery cut-off date in this action, which is currently set for June 1, 2007,  
4 shall remain in place. However, Plaintiffs in this action shall be allowed to take the eight fact  
5 witness depositions described in paragraph 1, above, as follows:

6                 a.       If the trial date in the Wisconsin Action is either continued or vacated,  
7 Plaintiffs in this action shall have until June 29, 2007, to complete the eight fact witness  
8 depositions; or

9                 b.       If the trial date in the Wisconsin Action is neither continued nor vacated,  
10 Plaintiffs in this action shall have 30 days after completion of the trial in the Wisconsin action  
11 in which to complete the eight fact witness depositions. Plaintiffs shall be barred from taking  
12 the eight fact witness depositions between June 2, 2007, and the completion of the trial in the  
13 Wisconsin Action. The parties agree it is unlikely the Wisconsin trial will last more than two  
14 weeks, thus, in all cases discovery in this action should be completed, at the latest, by mid-  
15 August.

16           The parties do not seek to continue the trial date or any other deadline in the current  
17 case schedule.

18           DATED this 15th day of May, 2007.

19           TOUSLEY BRAIN STEPHENS PLLC

TUCKER ELLIS & WEST

20  
21 By: /s/ Nancy A. Pacharzina  
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By: /s/ Bart L. Kessel [by authorization of  
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II. ORDER

IT SO ORDERED.

ENTERED this 16<sup>th</sup> day of May, 2007.

  
RONALD B. LEIGHTON,  
UNITED STATES DISTRICT JUDGE

Presented by:

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